

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

# CONVEX PROMOTIONS, INC.

**Plaintiff(s),**

No. C 04-4153 PJH

v.

## ORDER

## ACQUIRE, INC.

**Defendant(s).**

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10 Before the court is plaintiff's status report and defendant's response to said report in  
11 which the attorneys for each party provide their respective versions of the events leading to  
12 their total inability to comport themselves in a manner in which all other patent counsel  
13 appearing before the undersigned judge have been able to do. The Patent Local Rules for  
14 this district have for some time now required the filing of a joint claims construction statement.  
15 Yet, counsel in this case apparently cannot comply with this particular provision and have  
16 submitted a raft of letters and emails for the court to unravel along with their unreasonable  
17 requests for relief.

18 The attorneys responsible for the preparation of the claims construction statement are  
19 ORDERED to appear before this court for a case management conference on July 21, 2005,  
20 at 2:30 p.m. The court's unavailability for three weeks commencing July 25, 2005 accounts for  
21 the shortened notice. Nonetheless, no excuses for failing to appear will be acceptable. The  
22 conference will be vacated only upon the court's receipt of a stipulation by counsel that they  
23 will complete the task that both the local rules and this court's case management order already  
24 require.

**IT IS SO ORDERED.**

26 | Dated: July 15, 2005



**PHYLLIS J. HAMILTON**  
United States District Judge